

05-09-02

1653



Patent Docket P1007R1C1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

p#4

In re Application of Avi J. Ashkenazi Serial No.: 10/081,280 Filed: February 21, 2002 For: APO-2LI AND APO-3 POLYPEPTIDES	Group Art Unit: 1653 Examiner: to be assigned Confirmation No. 2465  <b>CERTIFICATE OF EXPRESS MAILING</b> Express Mail Number: <u>EV 016055917 US</u> I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to "Assistant Commissioner of Patents, Washington, D.C. 20231."  May 7, 2002  Mona Beltran
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TRANSMITTAL LETTER

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith are the following documents:

1. Information Disclosure Statement
2. Form PTO-1449 with 6 references.
3. Postcard

In the event any additional fees are due in connection with the filing of these documents, the Commissioner is authorized to charge such fees to our Deposit Account No. 07-0630.

Respectfully submitted,

GENENTECH, INC.

Date: May 7, 2002

By:

Diane L. Marschang

Reg. No. 35,600

Telephone No. (650) 225-5416



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PATENT TRADEMARK OFFICE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>Initial Application of Avi J. Ashkenazi Serial No.: 10/081,280 Filed: February 21, 2002 For: APO-2LI AND APO-3 POLYPEPTIDES</p>	<p>Group Art Unit: 1653 Examiner: Not yet assigned Confirmation No. 2465</p> <p><b>CERTIFICATE OF EXPRESS MAILING</b> Express Mail Number: <u>EV 016055917 US</u></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to "Assistant Commissioner of Patents, Washington, D.C. 20231."</p> <p>May 7, 2002 <i>Mona Beltran</i> Mona Beltran</p>
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**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Applicant submits herewith patents, publications or other information (attached hereto and listed on the attached revised Form PTO-1449) of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement is filed in accordance with the provisions of:

(X) **37 CFR §1.97(b)**

- within three months of the filing date of the application other than a continued prosecution application under 37 CFR §1.53(d); **or**
- within three months of the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491, **or**
- before the mailing of the first Office action on the merits; **or**
- before the mailing of the first Office action after the filing of a request for a continued examination under 37 CFR §1.114.

A list of the patents or publications is set forth on the attached revised Form PTO-1449 (Modified). A copy of the references identified as item numbers 1, 26, 27, 30, 138, and 284 on PTO-1449 are supplied herewith. Those patents or publications which are marked with an asterisk (\*) in the attached PTO-1449 form are not supplied because they were previously cited by or submitted

to the Office in prior application Serial No. 08/829,270, filed March 31, 1997 and relied upon in this application for an earlier filing date under 35 USC §120.

Applicant also wishes to bring to the Examiner's attention the following co-pending US applications filed by Applicant and which disclose subject matter relating to the instant application: 08/625,328 filed April 1, 1996; 08/800,699 filed February 14, 1997; 09/884,733 filed June 19, 2001; 08/828,683 filed March 31, 1997; 09/993,234 filed November 19, 2001; 10/112,793 filed March 28, 2002; 08/928,069 filed September 11, 1997; and 10/112,193 filed March 28, 2002.

A concise explanation of relevance of the items listed on PTO-1449 is:

☒ not given

☐ given for each listed item

☐ given for only non-English language listed item(s) (Required)

☐ in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR §1.97(g), the filing of this information disclosure statement shall not be construed as a representation that a search has been made.

In accordance with 37 CFR §1.97(h), the filing of this information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

In the event that the Office determines a fee to be due where none is specifically authorized in this paper, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement under 37 CFR §1.17(p).

Respectfully submitted,

GENENTECH, INC.

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FORM PTO-1449

U.S. Dept. of Commerce  
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## LIST OF DISCLOSURES CITED BY APPLICANT

(Use several sheets if necessary)

Applicant

Ashkenazi

Filing Date

21 Feb 2002

Group

1653

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	* 3 3,969,287	13.07.76	Jaworek et al.			
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Date Considered

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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<b>LIST OF DISCLOSURES CITED BY APPLICANT</b> (Use several sheets if necessary)				Applicant Ashkenazi	
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<b>OTHER DISCLOSURES (Including Author, Title, Date, Pertinent Pages, etc.)</b>					
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